United Nations A/72/823–S/2018/309

General Assembly
Security Council

Distr.: General
6 April 2018

Original: English

General Assembly
Seventy-second session
Agenda item 99 (l)
General and complete disarmament: implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

Security Council
Seventy-third year

Letter dated 5 April 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to forward to you an aide-memoire of the Russian Federation on the incident in Salisbury, United Kingdom of Great Britain and Northern Ireland, on 4 March 2018 (see annex).*

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 99 (l), and of the Security Council.

(*Signed*) Vassily **Nebenzia**

* The annex is being circulated in the languages of submission only.

18-05476 (E) 110418

Please recycle

Annex to the letter dated 5 April 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: English and Russian]

Aide-memoire on the Salisbury incident of 4 March 2018

On 4 March 2018, contradictory reports began to emerge from Salisbury (London suburbs) alleging that there had been an attempted murder of two Russian citizens Sergei Skripal and his daughter Yulia Skripal on the soil of the United Kingdom of Great Britain and Northern Ireland.

Pursuant to the existing practice of inter-state relations, the Russian Federation immediately requested through the diplomatic channels the UK side to provide a detailed account of the developments. There was no clear official response for the next seven long days.

On 12 March 2018, the British side all of a sudden and failing to provide any further explanations publicly accused the Russian Federation of an attempted murder of former double agent Sergei Skripal and his daughter on the soil of the UK allegedly with the use of a nerve agent called "Novichok" in accordance to western classification. Moreover, the UK also made accusations alleging that Russia had "violated" its obligations under the 1993 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC).

For some inexplicable reason, the UK started widely circulating those totally unsubstantiated claims in the Organization for the Prohibition of Chemical Weapons (OPCW), the UN Security Council, among the Member States of the European Union and NATO, and in the media.

To date, UK officials have not provided a single piece of evidence to prove any Russia's involvement in the alleged poisoning of Sergei Skripal and his daughter. On the basis of which characteristics ("markers") has it been ascertained that the substance used in Salisbury "originated from Russia"? Does the UK possess reference samples of the military-grade poisonous substance that British representatives identify as "Novichok"? Has the substance identified by British representatives as "Novichok" or analogous substances been researched, developed or produced in the UK?

As far back as 12 March 2018, the Embassy of the Russian Federation in the United Kingdom sent an official Note Verbale to the UK side with a proposal to provide us with all available information and suggesting that a joint and speedy investigation of the Salisbury incident be conducted on that basis.

Russia also made an official proposal to conduct full-scale bilateral consultations as envisaged in article IX para.2 of the Chemical Weapons Convention, in order to immediately address all concerns about the compliance with the Convention raised by the British side. A relevant Russia's statement was circulated as an official document of the 87th OPCW Executive Council Session (EC-87/NAT.9 of 13 March 2018).

It is highly regrettable that all these constructive Russia's proposals were ignored.

The UK has blatantly refused to cooperate with the Russian Federation in the investigation of an incident involving two Russian citizens that was declared by the UK and occurred on UK soil. At the same time London dared to accuse Russia of "concealing" some mysterious "facts" unknown to anybody. Moreover, London is yet to reply to numerous requests by the Russian Federation to exercise its right of consular access to Russian citizens.

Neither has the UK submitted to the OPCW any official requests for legal assistance in this matter. Consequently, the provisions of para 2 of article VII of the Convention have not been invoked.

Certainly, British Prime Minister Theresa May and Foreign Secretary Boris Johnson's attempt to present Russia with a 24-hour ultimatum in connection with this incident cannot be regarded as either an "offer of cooperation" within the meaning of the CWC, or a "request for legal assistance". Russia was only asked orally to explain which of the two scenarios were true: "either the Russian State has attempted murder on the British Soil using a chemical weapon or Russia has lost control of its stockpile of nerve agents".

Given these grave and, at the same time, completely groundless accusations brought against the Russian Federation and in order to ensure comprehensive, detailed and fully open investigation into the events of 4 March 2018 in Salisbury, we will continue to persistently demand access to all materials of the UK national investigation, including all surveillance recordings, transcripts of telephone conversations, confirmation of consistency, integrity and reliability of the entire chain of evidence collection, Porton-Down Laboratory's detailed reports on samples, including bio-materials that UK experts allegedly collected from the victims, etc.

This is the only way we can get a reliable answer to our legitimate question — what actually has happened and is still happening to the Russian citizens in the territory of the UK since 4 March 2018.

Russia will regard the findings of national and international experts as deserving consideration only if those findings are presented officially and publicly and are based on solid facts and evidence in conformity with all existing international legal procedures and if participation of Russian experts in any investigation is ensured.

Even in this extremely unhealthy situation, which London has created around the "Skripal Case", the Russian Federation stands ready to engage in open and constructive cooperation with the UK within the legal framework of the CWC and other international treaties applicable to the situation with investigation into the Salisbury incident.

Having refused our proposal to use article IX of the CWC, which invites states parties to the Convention to resolve, through exchange of information and consultations among themselves, any matter which may cause doubt about compliance with this international instrument, London referred to article VIII of the Convention, paragraph 38 (e) of which provides for "technical assistance" to states parties. Citing this paragraph and demonstrating the apparent unwillingness to resolve the issue on a bilateral and professional basis, UK requested the OPCW Technical Secretariat to "independently verify" analysis made by London.

The question arises as to why the UK having high-level expertise requested such "assistance" from the OPCW?

It is important to understand that neither article VIII of the OPCW nor other provisions of the Convention provide for any "independent verification" of national investigations' results and conclusions by the OPCW Technical Secretariat.

We expect from the OPCW an official and strictly fact-based report on chemical composition of samples taken by the OPCW Technical Secretariat experts in compliance with the "chain of custody" procedure for safeguarding physical evidence, as stipulated by the CWC.

Otherwise, Russia will consider itself entitled to claim that the investigation findings are invalid, actions taken do not comply with the CWC provisions and that the UK, the United States and other countries aligned with them for some reason intentionally undermine this so far the most successful international disarmament instrument.

The Russian Federation has consistently and in good faith complied with its CWC obligations. Pursuant to article III of the CWC, it declared all chemical weapon stockpiles in its territory. The nerve agent known in the west as "Novichok" has never been produced, stored or put into service by the Russian Federation.

On 27 September 2017, Russia successfully completed the implementation of its program of complete and total elimination of its chemical arsenal. This fact has been verified by the OPCW, which comprises 192 states, including the UK and the US. We consistently and persistently call for the strengthening of international peace and security, for the comprehensive settlement of any disputes, even the most difficult ones, by means of a constructive dialogue and open cooperation.

It is regrettable that the UK side has so far refused to cooperate with Russia in order to establish the truth, opting instead for a language of ultimatums, which will take us nowhere.

In view of the unfriendly actions undertaken by certain states in the context of the UK-initiated "Skripal Case", Russia demands from them detailed explanations of the motivation behind their actions, at the very least. With this information in mind, we will outline follow-up steps, including in bilateral and multilateral relations.

We reiterate that we are open for investigation, and, since the British so blatantly avoid bilateral cooperation, are ready to work on it in responsible manner within the OPCW as a specialized international organization.